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Attorneys for The SCO Group, Inc.

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF UTAH**

THE SCO GROUP, INC.,

Plaintiff/Counterclaim-Defendant,

v.

INTERNATIONAL BUSINESS
MACHINES CORPORATION,

Defendant/Counterclaim-Plaintiff.

**SCO'S MOTION FOR LEAVE
TO FILE DECLARATION OF
MARC ROCHKIND**

Case No. 2:03CV0294DAK
Honorable Dale A. Kimball
Magistrate Judge Brooke C. Wells

Plaintiff, The SCO Group, Inc. ("SCO"), respectfully moves for leave to file the Declaration of Marc Rochkind in opposition to IBM's Reply Memorandum in Further Support of its Motion to Limit SCO's Claims Relating to Allegedly Misused Material.

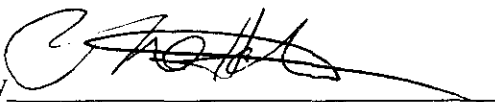
SCO's Motion arises out of IBM's Motion to Limit SCO's Claims, filed on February 13, 2006. Considering that IBM had not relied on any proposed expert testimony in support of that Motion, SCO did not submit any expert testimony with its Opposition Memorandum, filed on March 7, 2006. In support of its Reply Memorandum dated April 4, 2006, however, IBM submitted the Declaration of proposed expert Randall Davis. Accordingly, SCO seeks leave to address the issues raised in that Declaration by filing the Declaration of expert Marc Rochkind, and through this Motion gives IBM sufficient notice to consider that declaration in advance of the hearing on IBM's Motion, scheduled for April 14, 2006.

DATED this the 10th day of April, 2006.

Respectfully submitted,

HATCH, JAMES & DODGE, P.C.
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By 

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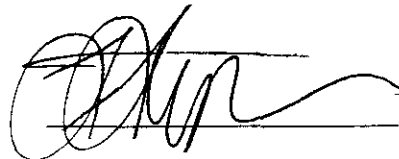
CERTIFICATE OF SERVICE

Plaintiff, The SCO Group, Inc., hereby certifies that a true and correct copy of the foregoing SCO's Motion for Leave to File Declaration of Marc Rochkind was served by mail on Defendant International Business Machines Corporation on the 10th day of April, 2006, by U.S. Mail to:

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A handwritten signature in black ink, appearing to be "DM", written over two horizontal lines.